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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,907	02/28/2004	Ross Cutler	307055.01	7527
27662 7590 01/07/2008 MICROSOFT CORPORATION C/O LYON & HARR, LLP 300 ESPLANADE DRIVE SUITE 800 OXNARD, CA 93036			EXAMINER WEIDNER, TIMOTHY J	
			ART UNIT 2619	PAPER NUMBER
			MAIL DATE 01/07/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/788,907

Applicant(s)

CUTLER, ROSS

Examiner

Timothy Weidner

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 and 24-30 is/are allowed.
- 6) ☒ Claim(s) 15-22 is/are rejected.
- 7) ☐ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 1-30 are pending. Claims 13, 15, and 30 are currently amended.
2. Applicant's amendment of the drawings has been entered. Objection to the drawings is hereby withdrawn.
3. Applicant's amendment of claim 30 overcomes the rejection under 35 USC 101.
4. The double patenting rejection is hereby withdrawn.

### ***Response to Arguments***

5. Applicant's arguments filed 11/13/2007 with regard to rejection of claims 15-22 and 30 have been fully considered but they are not persuasive. Regarding claim 15, Applicant argues that Krzyzanowski fails to disclose "establish communications via the common network between the discovering device and the discoverable device." Giving the broadest reasonable interpretation to this claim limitation, establishment of "communications via the common network" is taught by Krzyzanowski in paragraph 72 where a legacy bridge device (discovering device) transmits a unique ID to a mobile controller (discovering device), and the mobile controller transmits the unique ID to a central server over an IP network (common network). Further, as specified in paragraph 64, communications are between the controller and the bridge over the IP network via the server. Therefore, both the original claim limitation and the amended claim limitation are disclosed by Krzyzanowski.

6. Applicant's arguments, see pages 13-18 and 20-22, filed 11/13/2007, with respect to claims 1-14 and 23-29 have been fully considered and are persuasive. The rejection of claims 1-14 and 23-29 have been withdrawn.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 15, 19, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Krzyzanowski et al. (US 2004/0133704 A1, herein "Krzyzanowski").

9. Regarding claim 15, Krzyzanowski teaches a computer-implemented process for a discovering electronic device among at least one discoverable electronic devices, each of which is connected to a common network and located in the same delimited space (paragraphs 0035, 0052, 0068), to discover the presence and network address of one or more of said discoverable electronic devices to facilitate the transfer of data and other communications over the common network (paragraph 0072), said process comprising using a computer to perform the following process actions: the discovering device receiving a signal transmitted by a discoverable electronic device (paragraph 0072; "legacy bridge device emits an IR signal to a mobile controller"), wherein the signal comprises data representing the address assigned to the discoverable device on

the common network (paragraph 0069), and wherein the signal is not transmitted via the common network and is transmitted in a manner that substantially limits its reception to the delimited space (paragraph 0072; "IR signal" is inherently limited to the delimited space because IR does not penetrate walls); and the discovering device using the received network address to establish communications via the common network between the discovering device and the discoverable device that transmitted the address (paragraph 0072; "mobile controller transmits the unique ID ... over an IP network").

10. Regarding claim 19, Krzyzanowski teaches each discoverable device comprises an infrared (IR) transmitter and the discovering device comprises an IR receiver (paragraph 0070), and wherein the signal transmitted by a discoverable electronic device is an IR signal emitted from its IR transmitter (paragraph 0072), and wherein the process action of the discovering device receiving a signal transmitted by a discoverable electronic device comprises receiving the signal via its IR receiver (paragraph 0072).

11. Regarding claim 20, Krzyzanowski teaches the IR transmitter of each discoverable electronic device is powerful enough to extend throughout the delimited space (paragraph 0052).

***Claim Rejections - 35 USC § 103***

12. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

13. Claims 16-18, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krzyzanowski et al. (US 2004/0133704 A1, herein "Krzyzanowski") as applied to claim 15 above, in view of Tie et al. (US 2006/0143458 A1, herein "Tie").

14. Regarding claim 16, Krzyzanowski teaches the signal transmitted by the discoverable electronic device further comprises a an address expressly indicating the type of electronic device it is (paragraph 0069; MAC address inherently indicates type because MAC addresses always contain a type field, e.g. organization (OUI) or multicast/unicast bit), and inherently indicating its presence in the delimited space and being accessible via said common network (paragraphs 0035, 0052, 0068).

15. However, Krzyzanowski does not teach the signature.

16. Tie, which is in the same field of endeavor, teaches the signature (paragraph 0029) for the purpose of ensuring the security of mobile terminal access and high confidentiality of communication (paragraph 0006). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Krzyzanowki with the signature of Tie to ensure the security of mobile terminal access and high confidentiality of communication.

17. Regarding claim 17, Krzyzanowski teaches the process action of the discovering device using the received network address to establish communications via the common network with the discoverable device that transmitted the address is performed only for a discoverable device of the type that it is desired for the discovering device to establish communications with (paragraph 0072; "mapping function ... maps legacy device bridges"), wherein the device type is ascertained from the signal transmitted by

the discoverable electronic device (paragraphs 0069, 0072; MAC address inherently indicates type because MAC addresses always contain a type field, e.g. organization (OUI) or multicast/unicast bit).

18. However, Krzyzanowski does not teach the signature.

19. Tie teaches the signature (paragraph 0029) for the purpose of ensuring the security of mobile terminal access and high confidentiality of communication (paragraph 0006). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Krzyzanowski with the signature of Tie to ensure the security of mobile terminal access and high confidentiality of communication.

20. Regarding claim 18, Krzyzanowski teaches the signal is in the form of an identifier that distinguishes the discoverable electronic device transmitting the signal from all other discoverable electronic devices in the delimited space (paragraph 0069).

21. However, Krzyzanowski does not teach the signature.

22. Tie teaches the signature (paragraph 0029) for the purpose of ensuring the security of mobile terminal access and high confidentiality of communication (paragraph 0006). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Krzyzanowski with the signature of Tie to ensure the security of mobile terminal access and high confidentiality of communication.

23. Regarding claim 22, Krzyzanowski does not teach the signal transmitted by a discoverable electronic device is encrypted, and wherein the process action of the

discovering device receiving a signal transmitted by a discoverable electronic device comprises an action of decrypting the signal.

24. Tie teaches the signal transmitted by a discoverable electronic device is encrypted (paragraphs 0029, 0037), and wherein the process action for receiving the signature signal transmitted by a discoverable electronic device comprises decrypting the signal (paragraph 0038) for the purpose of ensuring the security of mobile terminal access and high confidentiality of communication (paragraph 0006). It would have been obvious to one of ordinary skill in the art at the time the invention was made to, using the signals taught by Krzyzanowski, encrypt and decrypt them to ensure the security of mobile terminal access and high confidentiality of communication.

25. Claims 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krzyzanowski et al. (US 2004/0133704 A1, herein "Krzyzanowski") as applied to claim 15 above.

26. Regarding claim 21, Krzyzanowski does not teach repeating the transmission of the signal on a prescribed periodic basis. Examiner takes Official Notice that transmission of a discovery signal, either signature or request, on a periodic basis is well known in the art of network device discovery for the purpose of updating common network devices such as bridge devices, network controllers, switches, routers, etc. with the most recent network configuration for allocating resources and directing traffic. It would have been obvious to one of ordinary skill in the art at the time the invention was made to repeat the transmission of the signal of Krzyzanowski on a periodic basis to update the common network devices with the most recent network configuration.



27. Regarding claim 30, Krzyzanowski teaches a computer-readable medium having computer-executable instructions for facilitating the discovery of the network address of a discoverable electronic device by a discovering electronic device (paragraph 0037), wherein each device is connected to a common network and located in the same delimited space (paragraphs 0035, 0052, 0068), said computer-executable instructions comprising: transmitting a signal comprising data representing the address assigned to the discoverable device on the common network from the discoverable device to the discovering device (paragraphs 0069, 0072), wherein the signal is not transmitted via the common network and is transmitted in a manner that substantially limits its reception to the delimited space (paragraph 0072; "IR signal" is inherently limited to the delimited space because IR can not penetrate walls); and the discovering device using the received network address to establish communications via the common network between the discovering device and the discoverable device that transmitted the address (paragraph 0072; "mobile controller transmits the unique ID ... over an IP network").

28. However, Krzyzanowski does not teach repeating the transmission of the signal on a prescribed periodic basis. Examiner takes Official Notice that transmission of a discovery signal, either signature or request, on a periodic basis is well known in the art of network device discovery for the purpose of updating common network devices such as bridge devices, network controllers, switches, routers, etc. with the most recent network configuration for allocating resources and directing traffic. It would have been obvious to one of ordinary skill in the art at the time the invention was made to repeat

the transmission of the signal of Krzyzanowski on a periodic basis to update the common network devices with the most recent network configuration.

***Allowable Subject Matter***

29. Claims 1-14 and 24-29 are allowed.

30. Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

31. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy Weidner whose telephone number is (571) 270-1825. The examiner can normally be reached on Monday - Friday, 7:30 AM - 5:00 PM, EST.

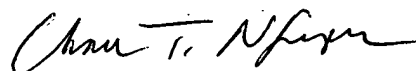
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TJW



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